

REMARKS/ARGUMENTS

Claims 1, 3-9, 12 and 14-24 are in the application. No claim is allowed. Claims 1 and 12 are amended. No new matter has been added.

Claims 13 (stet), 5-9, 14-20 and 24 are rejected under 35 USC 102(e) as allegedly being anticipated by Boyd et al. ("Boyd"), US Patent Pub. 2003/0070178, newly cited. This rejected is respectfully traversed. Boyd discloses methods and apparatus for a player to join a poker tournament online. The tournament is conducted on a system by an operator via a system lounge server and table servers. However, the individual gaming units, which may be a player's personal computer or a gaming unit in a casino, with respect to the game, contains only a lounge client. Par. [0086].

The lounge client does not have much functionality, but rather simply provides a communication means for interacting with the various servers generated by the system. (Par. [0086])

Hence, the "gaming software" in Boyd's gaming machines is only communication software, not the game itself. Accordingly, Boyd's gaming units do not contain gaming-specific software such as a pay table or a plurality of seeds for a random number generator to be implemented by the gaming unit. These latter features are incorporated into claim 1, thus claim 1 and its dependent claims are not anticipated by Boyd.

With respect to claim 14 and its dependent claims, claim 14 recites that the tournament server comprises a controller configured to load the gaming software for one or more games to the chosen gaming unit after the player has chosen the gaming unit. This feature is not disclosed in Boyd. The only software that is loaded on to the gaming unit in Boyd is the client program (par. [0084] and [0087]) that consists of the lounge client and table client. However, the client program is downloaded and installed on to the gaming unit manually by the player himself after he locates it on a website. (Par. [0087]). Therefore, Boyd's tournament server, if it has a controller, is not itself configured to perform the loading. Accordingly, claim 14 and its dependent claims are not anticipated by Boyd and the rejection should be withdrawn.

Claim 4 is rejected under 35 USC 103(a) as being unpatentable over Boyd in view of Massey et al (US 2004/0248652, "Massey"), of record. Reconsideration and withdrawal of this rejection are respectfully requested. Boyd is relied upon as indicated above. Massey is relied upon to show a proprietary CD version of a game to be present in the client computers. However, it is submitted to not be obvious from Massey to use a CD of the game in the client gaming units of Boyd, since that would give infiltrators something to access. It is a stated purpose of Boyd's invention to provide very limited functionality in the gaming unit itself to deter infiltrators. Adding a game CD to the gaming unit which would enhance game and/or player identity functionality is contrary to Boyd and thus the combination of the teachings would not be obvious to one of ordinary skill in the art. Accordingly, withdrawal of the rejection is earnestly solicited.

Claims 10 and 21 are rejected under 35 USC 103(a) as being unpatentable over Boyd in view of Morrow, of record. This rejection is respectfully traversed. Boyd is relied on as indicated above. The reliance on Morrow to show a reconfigurable gaming machine by transferring new game software via a network does not remedy the deficiencies of Boyd discussed above. Moreover, as previously pointed out, the addition of Morrow would appear to add more functionality to the gaming unit. This is a teaching contrary to that of Boyd. Accordingly, it is submitted that the subject matter of claims 10 and 21 would not be obvious over Boyd in view of Morrow and withdrawal of the rejection is requested.

Claims 11, 12, 22 and 23 are rejected under 35 USC 103(a) as being unpatentable over Boyd in view of Halliburton, of record. This rejection is respectfully traversed. Boyd is relied upon as indicated above. The gaming software of Halliburton comprising a plurality of randomly or pseudo-randomly generated seeds for a random number generator to be used by a gaming unit would only add even more functionality to the gaming unit of Boyd. Moreover, this feature is specifically a gaming function and Boyd directs one to restrict the gaming unit to only communication functions. Accordingly, it is submitted that the subject matter of claims 11, 12, 22 and 23 would not be obvious over a combination of Boyd in view of Halliburton and withdrawal of the rejection is requested.

Based on the foregoing, it is submitted that the claims are patentable over the cited art of record. Accordingly, Applicants submit that all claims are allowable and respectfully request that this application be passed to issue.

Should the examiner believe that a telephone conference would expedite the prosecution of this application the undersigned may be reached at the telephone number set out below. Applicants hereby petition for any additional extension of time which may be required to maintain the pendency of this case, and any required fee for such extension or any fee required in connection with the filing of this amendment is to be charged to Deposit Account No. 504480 (Order No. IGT1P279).

Respectfully submitted,

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